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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE METHYL TERTIARY BUTYL ETHER
PRODUCTS LIABILITY LITIGATION**

This document relates to:

*City of New York, et al. v. Amerada Hess Corporation,
et al.*, No. 04 Civ. 3417 (SAS)

Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88

STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

WHEREAS, plaintiffs the City of New York, the New York City Water Board Authority and the New York City Municipal Water Finance Authority (collectively, the "City") asserted various claims against, among others, Defendants ExxonMobil Corporation, ExxonMobil Oil Corporation and Mobil Corporation (collectively, the "ExxonMobil Defendants" and, together with the City, the "Parties") in the above matter in relation to a number of drinking water wells located in and around Jamaica, Queens;

WHEREAS, a trial was held before the Court and a jury in 2009 as against the ExxonMobil Defendants with respect to the state law claims concerning 5 of the wells at issue in the litigation (the "Station 6 Wells"), which trial ended in a judgment in favor of the City and against the ExxonMobil Defendants;

WHEREAS, all appeals from that judgment have been concluded;

WHEREAS, all other then-pending state law claims asserted by the City in this litigation related to wells other than the Station 6 Wells were dismissed without prejudice by Stipulation and Order signed by the Court on April 5, 2010; and

WHEREAS, the Parties have agreed that the City's only remaining claim asserted against the ExxonMobil Defendants, the Tenth cause of action of the City's Fourth Amended

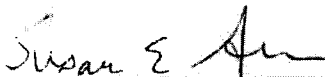
Complaint concerning the Toxic Substances Control Act, should be dismissed, without prejudice;

It is hereby AGREED, STIPULATED and ORDERED that:

The City's currently remaining claim asserted in this litigation, specifically the Tenth cause of action of the City's Fourth Amended Complaint is hereby dismissed, without prejudice, as against the ExxonMobil Defendants pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Each Party shall bear its own costs, expenses and fees.

New York, New York
March 28, 2016

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York City Municipal Water Finance Authority

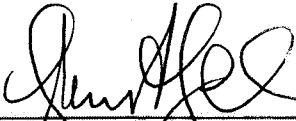


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and Mobil Corporation

SO ORDERED

*The Clerk of the Court is directed
to close this case.*



Shira A. Scheindlin
U.S.D.J.

3/28/16